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UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

University of Jerusalem "Al-Quds" for Palestine refugees

Report of the Secretary-General

1. The present report is submitted in pursuance of General Assembly resolution 48/40 I of 10 December 1993, the operative part of which reads as follows:

"The General Assembly,

"...

"1. Emphasizes the need for strengthening the educational system in the Palestinian territory occupied by Israel since 5 June 1967, including Jerusalem, and specifically the need for the establishment of the proposed university;

"2. Requests the Secretary-General to continue to take all necessary measures for establishing the University of Jerusalem 'Al-Quds', in accordance with General Assembly resolution 35/13 B of 3 November 1980, giving due consideration to the recommendations consistent with the provisions of that resolution;

"3. Calls once more upon Israel, the occupying Power, to cooperate in the implementation of the present resolution and to remove the hindrances that it has put in the way of establishing the University of Jerusalem 'Al-Quds';

"4. Also requests the Secretary-General to report to the General Assembly at its forty-ninth session on the progress made in the implementation of the present resolution."

2. It will be recalled that the General Assembly first considered the establishment of the proposed university at its thirty-fifth session. At that session it adopted, on 3 November 1980, resolution 35/13 B, in paragraph 5 of which it requested "the Secretary-General, in coordination with the Council of the United Nations University, the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the United Nations Educational, Scientific and Cultural Organization, to study ways and means of establishing at Jerusalem a university of arts and sciences to cater to the needs of Palestine refugees in the area, under the aegis of the United Nations".

3. Since then, the General Assembly has adopted 13 further resolutions on the subject (36/146 G of 16 December 1981, 37/120 C of 16 December 1982, 38/83 K of 15 December 1983, 39/99 K of 14 December 1984, 40/165 K of 16 December 1985, 41/69 K of 3 December 1986, 42/69 K of 2 December 1987, 43/57 J of 6 December 1988, 44/47 J of 8 December 1989, 45/73 J of 11 December 1990, 46/46 J of 9 December 1991, 47/69 J of 14 December 1992 and 48/40 I of 10 December 1993) and the Secretary-General has submitted 12 reports (A/37/599, A/38/386, A/39/528, A/40/543, A/41/457, A/42/309, A/43/408, A/44/474, A/45/530, A/46/540, A/47/601 and A/48/431) on the steps he has taken in pursuance of those resolutions, including his efforts to prepare the functional feasibility study on establishing the proposed university that was first requested by the Assembly in its resolution 36/146 G. The position of the Government of Israel in regard to the establishment of the university is also set out in those reports.

4. As the Secretary-General has previously indicated (see A/41/457, para. 4), he believes that, in order to comply with the request addressed to him by the General Assembly, it will be necessary to complete the functional feasibility study initiated in pursuance of previous Assembly resolutions. To that end, after Assembly resolution 48/40 I was adopted, the Secretary-General again sought the assistance of the Rector of the United Nations University, who, at his request, made available a highly qualified expert, Dr. Mihaly Simai, to assist in the preparation of the study. The expert was to visit the area and meet with the competent Israeli officials, bearing in mind that Israel exercises effective authority in the area concerned.

5. In a note verbale dated 10 August 1994 addressed to the Permanent Representative of Israel to the United Nations, the Secretary-General, with reference to the request addressed to him by the General Assembly, requested that the Government of Israel facilitate the visit of the expert, which would take place at a mutually convenient date. Recalling the position taken by the Government of Israel concerning the proposed university, as well as the clarifications already given by the Secretariat to the questions raised by the Israeli authorities (see A/36/593, annex), the Secretary-General expressed the opinion that such questions could be best discussed on the occasion of the visit of the United Nations expert.

6. On 23 August 1994, the Permanent Representative of Israel sent the following reply to the Secretary-General:

"In this connection, the Permanent Representative would like to recall his note of 27 July 1994 1/ addressed to the Secretary-General, in which the position of the Government of Israel concerning resolutions 48/40 A-J was clarified.

"Israel has voted consistently against the resolution entitled 'University of Jerusalem "Al-Quds" for Palestine refugees', and its position remains unchanged. It is clear that the sponsors of this resolution seek to exploit the field of higher education for political purposes totally extraneous to genuine academic pursuits. Accordingly, the Government of Israel is of the opinion that the proposed visit of Dr. Mihaly Simai to Israel would serve no useful purpose."

7. In view of the position taken by the Government of Israel, it has not been possible to complete the functional feasibility study on the proposed university at Jerusalem as planned.

Notes

1/ The Israeli note of 27 July 1994 said:

"Israel's position on these resolutions has been set forth in successive annual replies submitted to the Secretary-General in recent years, the latest of which being Israel's note verbale dated 15 June 1993. In addition, Israel's representative to the Special Political and Decolonization Committee reiterated Israel's position in his statement dated 8 December 1993 in which he said, inter alia, 'The series of resolutions on the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) ignores the new political reality following the agreement between Israel and the Palestine Liberation Organization (PLO), as well as the bilateral and multilateral negotiations'. Accordingly, Israel abstained on resolutions 48/40 A and D, and voted against resolutions 48/40 E-J.

"It should be noted that, in the past year, major progress has been achieved in the framework of the peace process, including the Declaration of Principles signed at Washington, D.C. on 13 September 1993 by Israel and the PLO, and the subsequent Agreement on the Gaza Strip and the Jericho Area, signed at Cairo on 4 May 1994. Israel believes that UNRWA can play an important role in promoting the social and economic advancement foreseen in the agreements between Israel and the PLO, and accordingly looks forward to continuing the cooperation and good working relationship with UNRWA.

"In the light of the above, Israel considers it essential, now more than ever, that the General Assembly focus its resolutions regarding UNRWA on the issues directly related to the agency's humanitarian tasks and that it refrain from adopting resolutions related to political issues irrelevant to the work for which UNRWA is responsible, and detached from the new reality.

"To this end, it would be advisable to consolidate the resolutions adopted by the General Assembly regarding UNRWA into one resolution. This would also be compatible with the necessity to rationalize the work of the General Assembly."